

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Criminal Case No. 07cr3245-BEN

Plaintiff,)

v.)

ESEQUIEL LOPEZ,)

Defendant.)

ORDER OF DETENTION BASED
UPON DEFENDANT'S WAIVER OF
RIGHT TO BAIL AND DETENTION
HEARING

In accordance with § 3142(f) of the Bail Reform Act of 1984 (18 U.S.C. § 3141 et seq.), a detention hearing was held on February 28, 2008, to determine whether defendant Esequiel Lopez (the "Defendant") should be held in custody pending trial on the grounds that he is a flight risk. Assistant U.S. Attorney Jill L. Burkhardt appeared on behalf of the United States; Francisco J. Sanchez, Jr. appeared on behalf of the Defendant.

At the hearing on February 28, 2008, the Defendant knowingly and voluntarily waived his right, on the record and through counsel, to the setting of bail and a detention hearing. Based on that waiver, the Court orders that the Defendant be detained pending trial and, if convicted, sentencing in these matters, without prejudice or waiver of the Defendant's right to later apply for bail and conditions of release, and without prejudice or a waiver of the right of the United States to seek detention in the event of an application by Defendant for such relief.

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ORDER

IT IS HEREBY ORDERED that the Defendant be detained pending trial and, if convicted, sentencing in these matters.

IT IS FURTHER ORDERED that the Defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentence or being held in custody pending appeal. The Defendant shall be afforded reasonable opportunity for private consultation with counsel.

While in custody, on order of a court of the United States or upon the request of an attorney for the United States, the person in charge of the correctional facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding or any other appearances stipulated to by defense and government counsel.

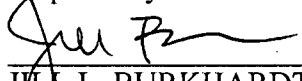
This order is made without prejudice to modification by this Court and without prejudice to the Defendant's exercise of his right to bail and a detention hearing at a future date.

IT IS SO ORDERED.

DATED: February 28, 2008.


HON. WILLIAM McCURINE, JR.
United States Magistrate Judge

Prepared by:


JILL L. BURKHARDT
Assistant U.S. Attorney